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May 26, 2000

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Magalie Roman Salas. Esq.
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Federal Communications Commission
445 12th Street, S.W., Room TW-B204
Washington, D.C. 20554

RECEIVED
MAY 26 2000
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY


Re: Petition to Amend FM Table of Allotments §73.202(b)

Dear Ms. Salas:

Northern Radio of Michigan, Inc., permittee of station WIAR(FM), Honor, Michigan, through counsel, hereby files an original and four copies of a Petition to Amend FM Table of Allotments §73.202(b) to change the class of WIAR(FM) from Class A to Class C3.

If you have any questions or need further information, please contact the undersigned.

Very Truly Yours,


Harry C. Martin
Jennifer Dine Wagner

Counsel for Northern Radio of Michigan, Inc.

Enclosures (5)

cc: John A. Karousos (w/enc.)

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MMB

BEFORE THE
Federal Communications Commission
Washington, D.C. 20554

RECEIVED
MAY 26 2000
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b),)
Table of Allotments,)
FM Broadcast Stations)
(Honor, Bear Lake, Ludington,)
and Walhalla, Michigan))

MM Docket No. _____
RM- _____

To: Chief, Allocations Branch

PETITION TO AMEND FM TABLE OF ALLOTMENTS § 73.202(b)

1. Northern Radio of Michigan, Inc. ("Northern"), permittee of broadcast station WIAR(FM), Honor, Michigan, through counsel, hereby proposes an amendment to the FM Table of Allotments, 47 C.F.R. Section 73.202(b), to change the class of WIAR(FM) from Class A to Class C3 on Channel 264.¹ The modification would increase the population served by WIAR(FM) from 35,699 to 79,839, an addition of 44,140 people.

Engineering Showing

2. As shown in the attached engineering exhibit (Exhibit A), the requested amendment would result in the following additional changes to the FM Table of Allotments:

- WSRQ(FM), Bear Lake, Michigan, from Channel 261A to Channel 291A. The move of the third-adjacent channel 261A will be required to allow WIAR(FM)'s upgrade to class C3. The move will permit an increase in WSRQ(FM)'s signal strength from a maximum 3.0 kw

¹ Northern submitted a Petition for Rulemaking to the Commission on March 24, 2000, in which it proposed channel substitutions for the present communities and the additional community of Remus, Michigan. The Chief of the Allocations Branch returned the Petition with the recommendation that Northern find another available channel that would not require reallocation of vacant Channel 255A at Walhalla. See Letter from John A. Karousos, Chief, Allocations Branch, to Harry C. Martin, May 10, 2000 (Exhibit B). Northern is adhering to the Allocation Branch Chief's advice in submitting the present proposal.

to 6.0 kw. D&B Broadcasting, LLC, licensee of WSRQ(FM), supports this change. See Letter from David C. Schaberg, Vice President of D&B Broadcasting, LLC (Exhibit C). The proposed change will permit WSRQ(FM) to improve its population coverage from 15,468 to 23,222, an increase of 7,754 people.

- WKLA(FM), Ludington, Michigan, from Channel 292A to Channel 254A. The move can be accomplished at WKLA(FM)'s existing tower location.
- Substitute Channel 293A for the current vacant allotment on Channel 255A in Walhalla, Michigan. This substitution accommodates the proposed channel change at Ludington.

3. The attached engineering study (Exhibit A) shows that the proposed modifications may be done in accordance with Commission rules and would benefit the public interest. Accordingly, Northern requests that the Commission amend the FM Table of Allotments and the licenses and permits of the affected stations, licensees, and permittees as follows:

LOCATION	PRESENT	PROPOSED
Honor, Michigan	264A	264C3
Bear Lake, Michigan	261A	291A
Ludington, Michigan	292A	254A
Walhalla, Michigan	255A	293A

4. Allocation of 293A to Walhalla would serve the public interest because it would result in service to a total of 51,894 additional people in two small communities that are currently underserved -- 44,140 in Honor and 7,754 in Bear Lake. According to the FCC database as of May 25, 2000, WSRQ is the only broadcast station licensed to Bear Lake, and WIAR is the only authorized station in Honor (Exhibit D). Therefore, grant of this proposal is vitally important to serving additional people and expanding the diversity of voices heard in each of the affected communities without loss of service to any other community.

Other Matters

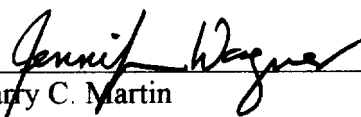
5. **WIAR Upgrade Benefit.** With respect to the proposed WIAR(FM) upgrade, the attached engineering report shows that a Class C3 facility at Honor will provide 1mV/m or better service to 79,839 people, a 124 percent increase over its potential Class A population coverage of 35,699.

6. **Reimbursement.** Northern will reimburse the licensee of WKLA(FM), Ludington, for the reasonable costs it incurs in changing frequencies from Channel 292A to 254A.

Conclusion

7. Grant of the proposed modifications to the FM Table of Allotments will increase and improve service to the communities of Honor, Michigan and Bear Lake, Michigan. Should the Commission substitute Channel 264C3 for Channel 263A at Honor as proposed, Northern will apply for the new facilities and construct and operate on Channel 264C3 once its application is approved. For the foregoing reasons, Northern Radio of Michigan, Inc. requests the Commission grant its proposed modifications.

Respectfully Submitted,
NORTHERN RADIO OF MICHIGAN, INC.



Harry C. Martin
Jennifer Dine Wagner
Its Counsel

FLETCHER, HEALD & HILDRETH, PLC
1300 North 17th Street, 11th Floor
Arlington, Virginia 22209
Telephone: (703) 812-0400
May 26, 2000

EXHIBIT A



STATEMENT OF WILLIAM J. GETZ
IN SUPPORT OF A PETITION TO AMEND
THE FM TABLE OF ALLOTMENTS

I am a Radio Engineer, an employee in the firm of Carl T. Jones Corporation with offices located in Springfield, Virginia. My education and experience are a matter of record with the Federal Communications Commission.

This office has been authorized by Northern Radio of Michigan, Inc., licensee of WIAR(FM), Honor, Michigan, to prepare this statement in support of a Petition to Amend the FM Table of Allotments, Section 73.202(b) of the FCC Rules. The petitioner requests that Section 73.202(b) of the FCC Rules be modified in the following manner:

	<u>Present</u>	<u>Proposed</u>
Honor, Michigan	264A	264C3
Bear Lake, Michigan	261A	291A
Ludington, Michigan	292A	254A
Walhalla, Michigan	255A	293A

An engineering study of all pertinent allotments, assignments and applications revealed that Channel 264C3 can be allotted to Honor, Michigan with a site restriction 14 km southwest. The allotment reference coordinates for Channel 264C3 at Honor,

STATEMENT OF WILLIAM J. GETZ
PAGE 2

Michigan are 44° 37' 25" N.L. and 86° 00' 19" W.L. The Honor allotment reference site meets the allotment standards, the minimum spacing requirements of §73.207 and the city-grade coverage requirements of §73.315 of the FCC Rules.

The current Honor, Michigan, Class A allotment serves a population of 35,699 persons within the maximum Class A primary service circle (28.3 km radius) computed without considering terrain effects. A full Class C3 facility operating from the proposed Channel 264C3 reference coordinates is predicted to encompass a population of 79,839 persons within the maximum Class C3 primary service circle (39.1 km radius). Consequently, the proposed arrangement of allotments would allow WIAR(FM) to upgrade to a Class C3 facility and potentially provide an additional 44,140 persons with primary service.

To accommodate upgrade at Honor, Michigan, the proponent requests a channel change and transmitter site change for WSRQ(FM), Bear Lake, Michigan. The consent of the licensee of WSRQ(FM) is contained elsewhere in this Petition.

Radio station WSRQ(FM) currently operates on channel 261A as a 3 kW ERP @ 100 meters HAAT Class A assignment. The current WSRQ(FM) transmitter site became short-spaced as a result of the Commission's revision of Section 73.207 to allow for a power increase for Class A stations to 6 kW ERP @ 100 meters HAAT. The proponent requests a change in channel to 291A and a change in the reference coordinates to 44° 17' 30" N.L. and 86° 13' 30" W.L. The proposed Bear Lake allotment reference site meets

STATEMENT OF WILLIAM J. GETZ
PAGE 3

the allotment standards, the minimum spacing requirements of §73.207 and the city-grade coverage requirements of §73.315 of the FCC Rules. The proposed change at Bear Lake will enable radio station WSRQ(FM) to increase facilities to the full 6 kW Class A maximum power.

The current Bear Lake, Michigan, 3 kW Class A allotment serves a population of 15,468 persons within the maximum Class A primary service circle (24.2 km radius) computed without considering terrain effects. A full 6 kW Class A facility operating from the proposed Channel 291A reference coordinates is predicted to encompass a population of 23,222 persons within the maximum Class A primary service circle (28.3 km radius). Consequently, the proposed arrangement of allotments would allow WSRQ(FM) to upgrade to a 6 kW Class A facility and potentially provide an additional 7,754 persons with primary service.

To accommodate the channel change at Bear Lake, Michigan, the proponent requests a channel change for WKLA(FM), Ludington, Michigan. Radio station WKLA(FM) currently operates on channel 292A. The proponent requests channel 254A in lieu of channel 292A at Ludington, Michigan. The allocation reference coordinates for Channel 254A describe the existing WKLA(FM) licensed transmitter site, 44° 03' 27" N.L. and 86° 24' 58" W.L. The Ludington allotment reference site meets the allotment standards, the minimum spacing requirements of §73.207 and the city-grade coverage requirements of §73.315 of the FCC Rules.

STATEMENT OF WILLIAM J. GETZ
PAGE 4

To accommodate the proposed channel change at Ludington, the proponent requests a channel change and a change in reference coordinates for a vacant, "first-come/first-serve", allotment currently on Channel 255A in Walhalla, Michigan. Specifically, the proponent requests that channel 293A be allotted to Walhalla, Michigan, at reference coordinates 43° 57' 13" N.L. 86° 06' 53" W.L. An engineering study of all pertinent allotments, assignments and applications revealed that Channel 293A can be allotted to Walhalla, Michigan with a site restriction 6 km north. The Walhalla, Channel 293A, allotment reference site meets the allotment standards, the minimum spacing requirements of §73.207 and the city grade coverage requirements of §73.315 of the FCC Rules.

This statement was prepared by me or under my direct supervision and is believed to be true and correct.

DATED: May 22, 2000



William J. Getz

EXHIBIT B



Federal Communications Commission
Washington, D.C. 20554

May 10, 2000

Harry C. Martin
Fletcher, Heald & Hildreth, P.L.C.
1300 North 17th Street, 11th Floor
Arlington, Virginia 22209-3801

Dear Mr. Martin:

This is in response to the Petition for Rule Making that you filed on behalf of Northern Radio of Michigan, Inc. proposing substitutions at Honor, Bear Lake and Ludington, Michigan, and a change of community involving Walhalla and Remus, Michigan.

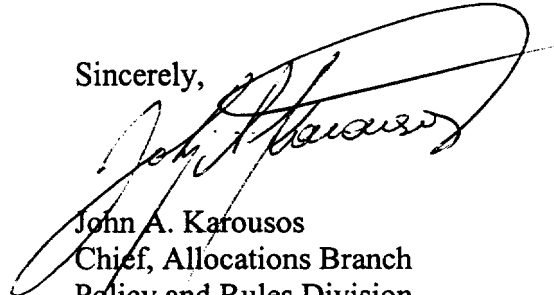
You have requested the substitution of Channel 264C3 for Channel 264A at Honor, Michigan, and modification of the construction permit for Station WIAR to specify operation on Channel 264C3. To accommodate Station WIAR, you request the substitution of Channel 291A for Channel 261A at Bear Lake, Michigan, and modification of the license for Station WSRQ to operate on Channel 291A. The change at Bear Lake requires a substitution for Channel 292A at Ludington, Michigan, for which you have proposed Channel 254A and modification of the license for Station WKLA accordingly. And finally you have requested the reallocation of vacant Channel 255A at Walhalla, Michigan, to Remus, Michigan.

A staff engineering analysis indicates that the above-requested changes can be made in compliance with the Commission's spacing requirements. We acknowledge that D&B Broadcasting, LLC, licensee of Station WSRQ, Bear Lake, Michigan, supports the channel change at Bear Lake and that the substitution at Ludington can be accomplished at Station WKLA's existing tower location. With respect to the allotment at Remus, sufficient information has been provided establishing Remus as a community for allotment purposes. The request to reallocate vacant Channel 255A from Walhalla to Remus falls under Section 1.420(i) of the Commission's Rules which permits the modification of a station's authorizations to specify a new community of license without affording other interested parties an opportunity to file competing expressions of interest. See Modification of FM and TV Authorizations to Specify a New Community of License ("Change of Community"), MM Docket No. 88-526, 4 FCC Rcd 4870 (1989), recon. granted in part, 5 FCC Rcd 7094 (1990).

We find, however, that your proposal is unacceptable for consideration at this time. First, you failed to provide an expression of interest for an allotment at Remus. The Commission will not make an allotment without a commitment to file an application for the channel. Second, Section 1.420(i) of the Commission's Rules applies to permittees and licensees. Since the channel at Walhalla is vacant and unapplied for at this time, your request for a change of community is premature.

Based on the above discussion, we are returning your petition for rule making. Alternatively, you may wish to determine if other channels are available that do not require the reallocation of vacant Channel 255A at Walhalla.

Sincerely,



John A. Karousos
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

Enclosure

EXHIBIT C

D & B Broadcasting, LLC

3105 S. Martin Luther King Jr., Blvd., PMB 376
Lansing, Michigan 48910-2939

Office: 517-394-1036
Fax: 517-882-7500

David C. Schaberg, VP/CFO

January 28, 2000

Federal Communications Commission
Washington, DC 20554

To: The Secretary

D & B Broadcasting, LLC, hereby gives its agreement to the Petition for Rulemaking by Northern Radio of Michigan, Inc., proposing to change the WSRQ allocation from channel 261A to 291A at Bear Lake, MI.

If the change is approved, D & B Broadcasting, LLC, will immediately make application for change of its transmitter site to such site as will meet the spacing requirements under the Rules for the new channel and will construct a new facility in accordance with the construction permit and thereafter commence operation on channel 291A at the earliest possible time.

The prompt completion of work on this Petition is appreciated.

Sincerely,

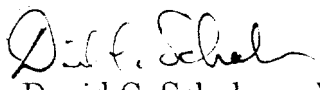

David C. Schaberg, VP
D & B Broadcasting, LLC

EXHIBIT D

 Federal Communications Commission				
FCC Home Page	Search	Commissioners	Bureaus Offices	Finding Info
Help Home				

Station Search

Search the database for information about a particular station by entering search criteria in the following fields. Then, press the "Submit Search" button.

Call Sign:	<input type="text"/>
Facility Identifier:	<input type="text"/>
Service:	<input type="text"/>
Channel:	<input type="text"/>
Frequency:	<input type="text"/>
Community of License City:	<input type="text" value="Bear Lake"/>
State:	<input type="text" value="MI"/>
Licensee Name:	<input type="text"/>
Positional Interest Name or Address:	<input type="text"/>
Station Status: (Use CTRL key [Mac CMD] for multiple selections)	<input type="checkbox"/> CP Applied For <input type="checkbox"/> CP Off Air
Commercial:	<input type="checkbox"/>
Non-Commercial:	<input type="checkbox"/>
<input type="button" value="Submit Search"/> <input type="button" value="Clear All Fields"/>	

The field values will be combined to search for stations that match *all* of the criteria. Use the % as a wildcard character when the exact string value is not known (for example, use a **Call Sign** of WAB% to query for stations with Call Signs that begin with the characters "WAB".) Note: The wildcard character should not be used in the **State** field (use the appropriate two character state abbreviation) or the numeric valued fields.



[Help](#) | [Home](#)

Search returned: 1 matching station

Station Search Results

Call Sign	Facility Id	Service	Licensee	Status	Details
WSRQ	57416	FM	D & B BROADCASTING, INC.	LICENSED	Click for Details

 Federal Communications Commission				
FCC Home Page	Search	Commissioners	Bureaus Offices	Finding Info
Help Home				

Station Search

Search the database for information about a particular station by entering search criteria in the following fields. Then, press the "Submit Search" button.

Call Sign:	<input type="text"/>
Facility Identifier:	<input type="text"/>
Service:	<input type="text"/>
Channel:	<input type="text"/>
Frequency:	<input type="text"/>
Community of License City:	<input type="text" value="Honor"/>
State:	<input type="text" value="MI"/>
Licensee Name:	<input type="text"/>
Positional Interest Name or Address:	<input type="text"/>
Station Status: (Use CTRL key [Mac CMD] for multiple selections)	<input type="checkbox"/> CP Applied For <input type="checkbox"/> CP Off Air
Commercial:	<input type="checkbox"/>
Non-Commercial:	<input type="checkbox"/>

The field values will be combined to search for stations that match *all* of the criteria. Use the % as a wildcard character when the exact string value is not known (for example, use a **Call Sign** of WAB% to query for stations with Call Signs that begin with the characters "WAB".) Note: The wildcard character should not be used in the **State** field (use the appropriate two character state abbreviation) or the numeric valued fields.

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Search returned: 2 matching stations

Station Search Results

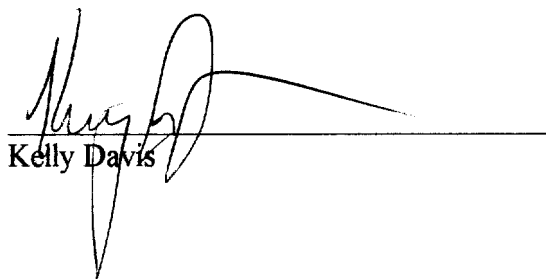
Call Sign	Facility Id	Service	Licensee	Status	Details
960722MC	82682	FM	JAY KEUNING	CP APPLIED FOR	Click for Details
WAIR	82684	FM	NORTHERN RADIO OF MICHIGAN, INC.	CP OFF AIR	Click for Details

Certificate of Service

I, Kelly Davis, a secretary with the law firm of Fletcher, Heald and Hildreth, P.L.C., do hereby certify that true copies of the foregoing Petition to Amend FM Table of Allotments §73.202(b) were sent this 26th day of May, 2000, by first-class mail, postage prepaid, to the following:

David C. Schaberg, VP
D&B Broadcasting, LLC
3105 S. Martin Luther King Jr., Blvd., PMB 376
Lansing, Michigan 48910-2939
Licensee of WSRQ(FM), Bear Lake, Michigan

Lake Michigan Broadcasting, Inc.
215 Harbor Drive
Ludington, Michigan 49431
Licensee of WKLA(FM), Ludington, Michigan


Kelly Davis